

WATER RIGHTS ADJUDICATION - GILA RIVER

WHY HAVE I BEEN CONTACTED?

You are being served with a New Use Summons because the records of the Arizona Department of Water Resources indicate that you may have initiated a new use of water between July 1, 1991 and December 31, 2000.

DO I NEED TO FILE A FORM IF I JUST USE WATER FROM A WELL?

All users of water should file a statement of claimant form to protect their uses, regardless of the source of the water.

HOW DID THIS COME ABOUT?

Because the property you own is located within the lands drained by the Gila River and its tributaries, the use of water on your property may be affected by an on-going court proceeding known as the Gila River Adjudication. The adjudication is a comprehensive court proceeding to determine the nature, extent and relative priority of rights to use water in the Gila River System and Source.

WHAT IS A "NEW USE SUMMONS"?

It is an order from the Maricopa County Superior Court, which is handling the adjudication, to assert any claims to water you may have in the Gila River system and source by filing the appropriate court-approved form.

WHAT PAPERWORK DO I NEED TO FILE?

For each of the seven watersheds, there are four court-approved statement of claimant forms:

- an irrigation water rights form,
- a stockpond water rights form,
- a domestic water rights form, and
- a form for other water rights.

SEVEN WATERSHEDS? HOW DO I KNOW WHICH IS MY WATERSHED?

You may locate your watershed by viewing the map, and by calling the Adjudication Hotline at 1-866-246-1414. A detailed PDF map (very large in file size at 11.7MB) is also available to download.

You may obtain the form(s) you need for filing your claim(s) from the Arizona Department of Water Resources, or by downloading them from this website.

HOW DO I DOWNLOAD THE FORMS?

Click here to go to the "Forms" section. Locate the correct form(s) and do one of two things:

1. Print directly from the web page.
2. Right click on the form you wish to obtain, and select "Save Target As" in Internet Explorer or "Save Link As" in Netscape. Choose a directory on your hard disk drive where you wish to save the form. Then you may open the file and print it.

Note: The forms are Adobe Acrobat documents. To work with these files, you will need to obtain and install the Acrobat Reader. If you do not have Acrobat Reader, you may obtain a free copy from www.adobe.com

HOW MUCH DOES THIS COST?

The filing fee for an individual is \$20. The filing fee for a corporation, municipal corporation, the state or any political subdivision, or an association or partnership, is two (2) cents for every acre-foot of water claimed, or \$20, whichever is greater.

HOW DO I PAY?

The filing fee should be paid by check or money order made payable to the order of the "Arizona Department of Water Resources." The Court will not consider your claim unless the filing fees for the claim have been paid.

WHAT HAPPENS IF I DO NOT FILE?

You may lose the right to use the water of the Gila River system and source if you fail to file a statement of claimant with the Arizona Department of Water Resources. This may happen even though you have received a permit, certificate or other approval from the Arizona Department of Water Resources.

You do not obtain a right to use water by filing a statement of claimant form. Rights to use water must be acquired in accordance with state or federal law. In many cases, you cannot initiate a new or increased use under state law until the appropriate permit, certificate or other approval has been received from the Arizona Department of Water Resources.

WHAT DOES THE 90-DAY DEADLINE MEAN? CAN I LOSE MY RIGHTS?

The state law requires a claimant to submit paperwork within 90 days of receipt of the summons. The Court may extend the time for good cause.

Because of recent budget reductions and the effect on manpower, do not be concerned that you will lose your rights. If you file within a reasonable time, your rights will be protected.

Note: The Arizona Department of Water Resources is receiving a high volume of telephone calls regarding the adjudication process. Our staff is responding to calls in the order we receive them. If you leave a message, we will return your call as soon as possible. However, reductions in statewide services stemming from budget cuts may prevent us from returning your call as quickly as we would like. We appreciate your patience.

We understand that rights holders may be concerned about the 90-day time period for filing the necessary forms. Please be advised that your water rights will not be jeopardized by the length of the process. State law allows rights holders to file adjudication forms after expiration of the 90-day period.

A final note: In case your neighbors wonder when their notices will arrive, the Department is mailing New Use Summons to water rights holders in alphabetical order.

Thank you again for your understanding

WHAT ELSE DO I NEED TO CONSIDER?

After you have filed a statement of claimant in this adjudication, you must notify the Arizona Department of Water Resources of any of the following changes in, or concerning, your statement of claimant:

1. a change in your address,
2. an assignment of your statement of claimant to another person,
3. a transfer to another person of all or part of the land for which a water right has been claimed, and
4. a transfer to another person of all or part of the water right claimed, if the claimed water right has been severed and transferred to another parcel of land.

Notice of any of the changes identified in this paragraph must be filed with the Arizona Department of Water Resources within thirty (30) days of the change using a form approved by the Court. This form is available from the Arizona Department of Water Resources. [Click here to move to the "Forms" page.](#)

WHAT IF I HAVE SOLD THE PROPERTY?

If you have sold the property which is located in the Gila River System, you should download and complete the two forms titled "Assignment" and "Well - Change of Ownership."